IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

DATE OF DECISION: 13.9.2007

Amrinder Singh **...Petitioner**

VERSUS

Smt.Jasleen Kaur and another **...Respondents**

CORAM

HON'BLE MR.JUSTICE PERMOD KOHLI

PRESENT: Mr.S.S.Rangi, Advocate for the petitioner

Permod Kohli,J. (Oral)

This Civil Revision is directed against the order dated 31.8.2007 passed by the District Judge, Rupnagar dismissing the application of the petitioner/plaintiff for transfer of the civil suit from the court of Smt.Harpreet Kaur, Additional Civil Judge (Sr.Division), Kharar, to some other court.

The plaintiff/petitioner instituted a suit in the Court of Additional Civil Judge (Sr.Division), Kharar for specific performance of contract and also made an application for temporary injunction which was granted by the said court.

However, subsequently, when the defendants appeared, the trial court fixed the dates for hearing the arguments on the application. According to the petitioner/plaintiff, arguments were partly heard on 25.4.2007 and the case was adjourned to 27.4.2007. It is, at this stage, that transfer application came to be made before the learned District Judge, Rupnagar with the allegations that during the course of arguments, the learned court expressed her mind that the agreement in question is a forged document. It is further alleged that the counsel politely requested the court that its genuineness will be determined after recording evidence, but the learned court snubbed the counsel. On the basis of these allegations, case was sought to be transferred. Learned District Judge, after hearing both the parties, dismissed the application finding no substance in the allegations, vide the impugned order. It has also been observed that the same judge has granted the interim injunction to the plaintiff/petitioner and the allegations are not supported by affidavit filed in the case. Even before me, no material has been shown to substantiate the bald allegations. Even Advocate who was allegedly snubbed did not file his own affidavit.

I have heard the learned counsel for the petitioner. I do not find any ground to interfere with the impugned order. I find no merit in this Civil Revision which is accordingly dismissed.

(PERMOD KOHLI)
JUDGE

13.9.2007

MFK